

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
EASTERN DIVISION**

**R.A. JR. (a minor child, by and through his
Father and next friend, Richard Lemmel
Arnold,**

Plaintiff,

vs.

**DEPUTY SHERIFF WALTER LACEY,
in his official and individual capacity,**

Defendant.

Case No.: CV-3:06-cv-337-WHA

DEFENDANT WALTER LACEY'S MOTION FOR SUMMARY JUDGMENT

COMES NOW the Defendant, Walter Lacey, pursuant to Rule 56 of the Federal Rules of Civil Procedure, and hereby moves this Honorable Court to enter Summary Judgment in his favor on all counts in the Complaint as a matter of law, on the grounds that there is no genuine issue of material fact, and that he is entitled to Summary Judgment as a matter of law.

In support of this Motion for Summary Judgment, Defendant submits the following evidence:

1. The Narrative Statement of Facts contained in the Brief in Support of Motion for Summary Judgment filed contemporaneously herein.

2. The Evidentiary Submission in Support of the Motion for Summary Judgment filed contemporaneously herein

WHEREFORE, THE PREMISES CONSIDERED, Defendant, Walter Lacey, respectfully requests, pursuant to Rule 56 of the Federal Rules of Civil Procedure that Summary Judgment be entered in his favor on all counts as a matter of law and against the Plaintiff.

/s/ C. Winston Sheehan, Jr.

C. WINSTON SHEEHAN, JR.

Attorney for the Defendant, Walter Lacey

OF COUNSEL:

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CERTIFICATE OF SERVICE

I hereby certify that on January 5, 2007, I electronically filed the foregoing with the Clerk of the Court, using the CM/ECF system which will send notification of such filing to the following registered persons and that those persons not registered with the CM/ECF system were served by U.S. mail:

Hon. Arlene M. Richardson
Richardson Legal Center, LLC
Post Office Box 971
Hayneville, AL 36040-0971

/s/ C. Winston Sheehan, Jr.

OF COUNSEL